

Remarks

Claims 1-20 are pending in this application prior to entry of the above amendments. Claims 1, 2, 3, 8, and 20 have been amended. Claims 4, 5, 6, 10, 12, 13, 14, 15, 16, 17, 18 & 19 have been canceled. Applicant requests reconsideration of the claims in light of the amendments herein and remarks below.

Claims 1-20 were rejected as anticipated over Grundy *et al.* Applicant respectfully asks the Examiner to reconsider this rejection in view of the amendments above and below Remarks.

Grundy relates to an investigation of the surface cuticles of a variety of echinoderm surfaces. The substance was characterized as susceptible to chondroitinase ABC, a constituent of tube feet, and proteoglycan.

The examiner requested a full paper pertaining to the Grundy abstract, however after a search no paper was located. The abstract was based upon electronic slides which were not a publication. Applicant submits 13 sheets of slides herewith for the Examiner's consideration.

The present invention relates to a product having anti-inflammatory properties obtainable from a starfish. The product is characterized as a constituent of mucus secretion, and mucin, not tube feet.

Amended claims 1 & 20, the only independent claims of the application, require, among other limitations, glycoprotein having a molecular weight of about 1,100 kDa. Nowhere does Grundy teach or suggest such a limitation, and amended claims 1 & 20 are not anticipated by Grundy. Reconsideration is urged.

Furthermore, Grundy fails to make amended claims 1 and 20 obvious. Grundy suggests that the echinoderm cuticle was predominately proteoglycan in nature and that its composition could be manipulated with chemical treatment. Conversely, product of

the present invention relates to a product derived from mucus or mucin. One of ordinary skill in the art would likely have washed off as much mucus and or mucin as possible from the cuticle in order to evaluate the echinoderm cuticle of Grundy, and therefore would not be motivated by the reference to examine the mucus or mucin.

Claims 1-20 were rejected for failing to comply with the enablement requirement. Independent claims 1 and 20 have been amended to include sufficient information to describe the substance. Moreover, the application directs the Examiner's attention to Example 8 which describes the properties of the product of the invention. Specifically, on page 40, line 5, the specification states that "[t]his example is directed at establishing the identity and/or antifouling properties of glycoproteins in mucus products according to the invention." The example describes, among other things, the materials used, the animals to obtain the product from, and various assays used in the art including the purification of glycoprotein products from mucus. The specification is not required to teach every detail of the invention or to be a production specification. The specification need only explain how to make and use the invention without requiring an inordinate amount of experimentation. MPEP § 2164.01 makes clear that the enablement requirement requires that the claimed invention be enabled so that any person skilled in the art can make and use the invention without undue experimentation. See also, *In re Wands*, 858 F.2d at 737 (Fed. Cir. 1988). The specification clearly explains how to obtain the claimed product, and one of ordinary skill in the art would understand from the Examples how to identify the claimed product, thus the application is enabled and reconsideration is urged.

Claims 1-20 were further rejected as indefinite. Applicant has amended independent claim 1 and 20 to make the claim more definite. Reconsideration is urged.

It is respectfully submitted that all claims pending in the application, namely claims 1, 2, 3, 7, 8, 9, 11 & 20, are in order for allowance and earlier notification of such condition is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephen P. McNamara', is written over a horizontal line.

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